

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SYLVAN BATTEN.

Plaintiff,

V.

FRESNO SUPERIOR COURT, et al.,

Defendants.

Case No. 1:21-cv-00693-NONE-EPG

**ORDER GRANTING APPLICATION TO
PROCEED IN FORMA PAUPERIS
(ECF No. 2)**

and

ORDER DIRECTING PAYMENT
OF INMATE FILING FEE BY THE
CALIFORNIA DEPARTMENT OF
CORRECTIONS AND REHABILITATION

Plaintiff is a prisoner proceeding *pro se* pursuant to 42 U.S.C. § 1983 and has requested leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Plaintiff has made the showing required by § 1915(a) and accordingly, the request to proceed *in forma pauperis* will be granted.

Plaintiff is obligated to pay the statutory filing fee of \$350.00 for this action. 28 U.S.C. § 1915(b)(1). Plaintiff is obligated to make monthly payments in the amount of twenty percent of the preceding month's income credited to Plaintiff's trust account. The California Department of Corrections and Rehabilitation is required to send to the Clerk of Court payments from Plaintiff's account each time the amount in the account exceeds \$10.00, until the statutory filing fee is paid in full. 28 U.S.C. § 1915(b)(2).

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In accordance with the above and good cause appearing therefore, IT IS HEREBY
ORDERED that:

1. Plaintiff's application to proceed in forma pauperis is GRANTED;
2. **The Director of the California Department of Corrections and Rehabilitation or his or her designee shall collect payments from Plaintiff's prison trust account in an amount equal to twenty percent (20%) of the preceding month's income credited to the prisoner's trust account and shall forward those payments to the Clerk of Court each time the amount in the account exceeds \$10.00, in accordance with 28 U.S.C. § 1915(b)(2), until a total of \$350.00 has been collected and forwarded to the Clerk of Court. The payments shall be clearly identified by the name and number assigned to this action.**
3. The Clerk of Court is directed to serve a copy of this order and a copy of Plaintiff's application to proceed in forma pauperis on the Director of the California Department of Corrections and Rehabilitation, via the court's electronic case filing system (CM/ECF).
4. The Clerk of Court is directed to serve a copy of this order on the Financial Department, U.S. District Court, Eastern District of California, Sacramento Division.

IT IS SO ORDERED.

Dated: **April 30, 2021**

Is/Encl P. Groj
UNITED STATES MAGISTRATE JUDGE